IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 739 OF 2005

Prabha P. Sharma ...Petitioner

Versus

Samajik Ekta Samiti & Ors. ... Respondents

Mr. Shaikh N. Masih for the Petitioner

Mr. M.V. Limaye for Respondents No. 1 and 2

Mr. S. Sreedharan, Assistant Government Pleader, for Respondent No. 3.

CORAM: DALVEER BHANDARI, C.J., &
DR. D.Y. CHANDRACHUD, J.
DATE: AUGUST 23, 2005.

1. The petitioner was appointed as an Assistant Teacher on probation in a clear and permanent vacancy with effect form 1st August, 1991. Admittedly, the petitioner has continued in service since then. The petitioner has raised a short

grievance that respondents No. 1 and 2 have not paid her outstanding amount of Rs.3,96,074/- towards her regular monthly salaries. According to the petitioner, the amount is due and payable from 21st December, 2001.

2. Pursuant to the show-cause notice issued by this Court, the learned counsel appearing for respondents No. 1 and 2 fairly submitted that the amount, which is due and payable to the petitioner, would be paid to her in instalments, and he prayed that respondents No. 1 and 2 be permitted to pay the amount in the following three instalments: He submitted that the first instalment of Rs.1,00,000/- would be paid on or before 30th September, 2005; the second instalment of Rs.1,50,000/- would be paid on or before 31st October, 2005; and the remaining

amount would be paid on or before 30th November, 2005. He, on instructions from Secretary, Shri K.R. Dubey, of respondent No. 1, submitted that henceforth, the salary of the petitioner would be paid regularly. Respondent No. 2, however, would be at liberty to claim appropriate relief from respondent No. 3.

3. In view of the undertaking of the learned counsel for respondents No. 1 and 2, no further directions are necessary in this petition. This petition is accordingly disposed of. However, liberty is granted to the petitioner to revive this petition, in case the amount, as undertaken by respondents No. 1 and 2, is not paid within the stipulated period.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD,J.